

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO. 04-10245-RGS
	)	
ANDREW PERRY	)	

UNOPPOSED MOTION TO  
MODIFY CONDITIONS OF PRETRIAL RELEASE

Defendant, Andrew Perry, moves this Court to modify his conditions of pretrial release to remove the condition that he be electronically monitored during periods he is in his home. As reasons therefore, defendant states the following:

1. The defendant first appeared in this matter upon his arrest on July 21, 2004. After initially ordering detention, Chief Magistrate Judge Bowler on July 23, 2004 conditionally released the defendant to his long-time companion's home in Westboro. His companion signed an appearance bond in the amount of \$50,000 to ensure his continued appearance.
2. As additional conditions, the defendant was placed on a curfew to be monitored electronically, ordered to seek and maintain employment, and ordered not to enter Suffolk county except for purposes of court appearances and attorney meetings.
3. The defendant remained in Westboro from his release until February 23, 2005 when he and his companion amicably separated. He worked full time and complied with his conditions of release in all respects while in Westboro.
4. As a result of the split, Judge Bowler on March 2, 2005 amended the conditions of release to allow the defendant to live in Revere, Massachusetts and to personally sign the appearance bond. The balance of the pretrial conditions, including the electronic monitoring remained in effect.
5. Pretrial Services reports that the defendant has been compliant with all of the conditions of release, including

the stringent curfews and reporting requirements. No new criminal activity has been reported.

6. Pretrial Services, by and through U.S.P.T.S.O. David Picozzi, has indicated to counsel for the defendant and the government, as well as to the Court, that the defendant has demonstrated a sufficient track record of responsibility that the strict monitoring conditions are greater than necessary to supervise the defendant. Pretrial Services would prefer that the electronic monitoring condition be eliminated and that Pretrial Services be granted the discretion to impose intensive but less invasive reporting requirements. All other conditions, including a 10 p.m. to 6:00 a.m. curfew, would remain the same.
7. Pretrial Services concurs with this modification but requires judicial approval by the Court to modify these conditions.
8. The government has stated in open court that it does not oppose this motion.

Wherefore, defendant respectfully requests that this Court modify the conditions of release to eliminate the electronic monitoring provision condition.

Respectfully submitted,

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